

## Report of Sale and Petition for Order Confirming Sale of Real Property

Age: 92 DOB: 09/30/19		THEODORA MICHAILIDES, Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Sale Price - \$108,000.00	1. Petition is incomplete at item 6 regarding bond. It is noted that the conservator currently has a bond in the amount of \$304,000.00.
		Overbid - \$113,900.00	
Cont. from		Reappraisal - \$108,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Property - 3318 E. Huntington Blvd. Fresno, CA 93702	
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Publication - The Business Journal	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Buyers - Sandra Collazo & Inocencio Collazo, husband and wife as joint tenants	
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input checked="" type="checkbox"/>	Aff.Pub.	Broker - \$6,480.00 (6% - Payable to Angie Hyatt, Hyatt Real Estate)	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
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<input type="checkbox"/>	CI Report		
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<input checked="" type="checkbox"/>	Order		
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<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 05/23/12
			Updates:
			Recommendation:
			File 1 - Mitchell

**Fourth Account Current and Report of Trustee and Petition for Its Settlement, and for Allowance of Trustee's Fees [Prob. C. 17200(b)(5) & (9)]**

			<b>JAMES M. BELL</b> , Trustee, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petitioner is requesting fees totaling 1% of the Trust assets. In the prior accounting the Trustee requested ¼ of 1% of the trust assets. Probate Code § 15686 (b) states a trustee may not charge an increased trustee's fee for administration of a particular trust unless the trustee first gives at least 60 days' written notice of that increased fee to each person entitled.
			Account period: 1/1/11 – 12/31/11	
			Accounting - <b>\$1,225,107.91</b>	
<b>Cont. from</b>			Beginning POH - <b>\$1,122,208.62</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		Ending POH - <b>\$1,072,527.44</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>		(\$240,468.60 is cash)	
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>		Trustee - <b>\$10,713.00</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>		(1% of the market value of the estate assets)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		<b>Petitioner prays for an Order of the Court as follows:</b>  1. All acts and transactions of the Trustee relating to the matters reflected in the Account and Report be ratified, confirmed and approved.  2. The Trustee be authorized and directed to pay himself compensation for services rendered during the period of the Account and Report in the sum of \$10,713.00	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/		
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
			<b>Reviewed by: KT</b> <b>Reviewed on: 5/23/12</b> <b>Updates:</b> <b>Recommendation:</b> <b>File 2 - Funch</b>	

## Probate Status Hearing Re: Inventory &amp; Appraisal and Filing of Bond

<b>DOD: 7/29/2010</b>	<p><b>FRANK SCOTT HINE</b>, brother, was appointed Administrator with bond set at \$118,260.00 on 1/5/2011.</p> <p>Bond has <b><u>NOT</u></b> been filed and Letters have <b><u>NOT</u></b> issued.</p> <p>Creditor's claims totaling \$39,051.68 have been filed in this case.</p> <p>The sole beneficiary of this estate appears to be the decedent's 15 year old daughter.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> Mr. Krbechek substituted in on 4/4/12.</p> <p>1. Need Bond and Letters to Issue.</p>				
<b>Cont. from</b>						
<b>Aff.Sub.Wit.</b>						
<b>Verified</b>						
<b>Inventory</b>						
<b>PTC</b>						
<b>Not.Cred.</b>						
<b>Notice of Hrg</b>						
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<b>UCCJEA</b>						
<b>Citation</b>						
<b>FTB Notice</b>						
	<table border="1"> <tr> <td><b>Reviewed by: KT</b></td> </tr> <tr> <td><b>Reviewed on: 5/23/12</b></td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 3 - Hine</b></td> </tr> </table>	<b>Reviewed by: KT</b>	<b>Reviewed on: 5/23/12</b>	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 3 - Hine</b>
<b>Reviewed by: KT</b>						
<b>Reviewed on: 5/23/12</b>						
<b>Updates:</b>						
<b>Recommendation:</b>						
<b>File 3 - Hine</b>						

(1) First and Final Report of Statue of Administration on Waiver of Account and (2) Petition for Final Distribution, for (3) Allowance Ordinary Services by Attorneys, for Allowance of Extraordinary Services by Attorneys, and for Reimbursement of Cost Advanced (Prob. C. 10800, 10810, 10811, 10831, 10954 & 11640)

<b>DOD: 03/04/11</b>		<b>MITTLE L. BEGGS</b> , Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Accounting is waived.	
		I & A - <b>\$429,880.38</b>	
		POH - <b>\$250,280.68</b> (\$38,341.39 is cash)	
<b>Cont. from</b>		Executor - <b>waives</b>	
<input checked="" type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Attorney - <b>\$9,397.60</b> (statutory)	
<input checked="" type="checkbox"/>	<b>Verified</b>	Attorney x/o - <b>\$5,238.50</b> (per itemized statement for 19 hours of legal work related to negotiating with decedent's estranged wife and recovery of decedent's property improperly removed from his home by estranged spouse and her family)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Costs - <b>\$1,717.31</b> (for filing fees, certified copies, obtaining court records, publication, probate referee)	
<input checked="" type="checkbox"/>	<b>PTC</b>	Closing - <b>\$5,000.00</b>	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Creditor's Claim - <b>\$5,473.29</b> (to Jerry Beggs, allowed on 10/17/11)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<b>Distribution, pursuant to Decedent's Will, is to:</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/o	Mittie L. Beggs - \$2,144.85 cash plus ½ interest in various securities, a 2000 Cadillac DeVille, a 1991 Gregor Pleasure Boat, a 1987 Ezldr Boat Trailer, various guns, and miscellaneous furnishings and household items	
	<b>Aff.Pub.</b>	Janice Critchlow - \$9,369.84 cash plus ½ interest in various securities, a 2000 Cadillac DeVille, a 1991 Gregor Pleasure Boat, a 1987 Ezldr Boat Trailer, various guns, and miscellaneous furnishings and household items	
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b> 06/06/11		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
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	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

Reviewed by: JF

Reviewed on: 05/23/12

Updates:

Recommendation:

File 4 - Branch

**Petition for Compensation [Prob. C. 1470]**

			<p><b>STANLEY J. TEIXEIRA</b>, petitioner was Court appointed to represent the Conservatee on 12/14/11.</p> <p>Edward Bodley was appointed Temporary Conservator of the person and estate on 12/12/11.</p> <p>The Public Guardian was appointed Temporary Conservator of the person and estate on 2/28/12.</p> <p>No permanent conservator was ever appointed. The conservatorship petition was denied and dismissed on 4/10/12.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for Edward Bodley's petition to appoint a conservator.</p> <p>Petitioner <b>asks that he be paid</b> for services rendered for <b>22.90 hours @ \$250.00 per hour for a total of \$3,500.00.</b></p> <p>Services are itemized by date and include review of documents, visits with client, and court appearances.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<b>Cont. from</b>				
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>	W/		
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
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	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			

<b>Reviewed by: KT</b>
<b>Reviewed on: 5/23/12</b>
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 5 - Carter</b>

Atty Vasquez, Valerie (pro per Petitioner/maternal aunt)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Julianna age: 7 yrs DOB: 2/19/2005		<b><u>Temporary Expires 5/30/2012</u></b>  <b>VALERIE VASQUEZ</b> , maternal aunt, is petitioner.  Father: <b>JULIAN REED</b>  Mother: <b>STEPHANIE REED</b>  Paternal grandfather: unknown Paternal grandmother: Grace Reed Maternal grandfather: Joe Vasquez Maternal grandmother: Lucy Furch  <b>Petitioner states</b> the children's parents are both incarcerated. The children need someone to be responsible for their educational and medical needs.  <b>Court Investigator Julie Negrete's report filed on 5/23/12</b>  <b>DSS Social Worker Anita Ruiz's report filed on 5/23/12</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need <i>Notice of Hearing</i> .  2. Need proof of <u>personal</u> service of the <i>Notice of Hearing</i> along with a copy of the <i>Petition</i> or <i>Consent and Waiver of Notice</i> or <i>Declaration of Due Diligence</i> on : a. Julian Reed (father) b. Stephanie Reed (mother)  3. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the <i>Petition</i> or <i>Consent and Waiver of Notice</i> or <i>Declaration of Due Diligence</i> on : a. Paternal grandfather b. Grace Reed (paternal grandmother) c. Joe Vasquez (maternal grandfather) d. Lucy Furch (maternal grandmother)  4. Need UCCJEA
Julian age: 6 years DOB: 3/10/2006			
William age: 4 yrs DOB: 12/25/2007			
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
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<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: <b>KT</b> Reviewed on: <b>5/24/12</b> Updates: Recommendation: File <b>6 - Reed</b>	

			<b>NORMAN S. SAKAMOTO</b> , surviving Trustor, Trustee, and lifetime beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Order.
			Petitioner states:	
Cont. from			1. Petitioner and his spouse, Lily Y. Sakamoto, established the <b>SAKAMOTO FAMILY TRUST</b> on 10/01/1997 (the "Trust").	
	Aff.Sub.Wit.			
✓	Verified		2. During their lifetimes, Petitioner and his wife amended and restated the trust three times, on 06/03/02, 11/21/05, and 09/13/10. This Petition is regarding the third amendment and restatement ("Third Amendment").	
	Inventory			
	PTC		3. An error occurred in the drafting of the Third Amendment at Article Twelve. The bottom of page 12-1 indicates that Laura Tsutsui is to receive one equal share of the balance of the remaining trust property. Unfortunately, the top of page 12-2 reflects the identical paragraph. As a result, beneficiary Laura Tsutsui will receive two equal shares of the balance of the remaining trust property, instead of one equal share as intended by the Trustors. At the time the document was signed, neither Trustor nor the attorney noticed the duplicated paragraph.	
	Not.Cred.			
✓	Notice of Hrg		4. Petitioner states that the Trustors intended Laura Tsutsui receive one equal share, not two. Had they intended her to receive two shares of the estate, it would not have been reflected in two separate paragraphs, but would have simply stated that she is to receive two equal shares in one paragraph.	
✓	Aff.Mail	w/		
	Aff.Pub.		5. On August 27, 2011, Trustor Lily Y. Sakamoto died. Under the terms of the Third Amendment, upon the death of the first Trustor, the Trust is to be divided into two parts or subtrusts, known as the Marital One Trust and the Family Trust, to maximize federal estate tax benefits. While the Marital One Trust remains revocable during Petitioner's lifetime, the Family Trust is irrevocable.	
	Sp.Ntc.			
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	FTB Notice			

Continued on Page 2

- 6. Now that the Family Trust is irrevocable, any assets allocated to that subtrust will be distributed in the manner designated by the terms of the Third Amendment.**
- 7. Under the present circumstances, Laura Tsutsui would receive two equal shares of the assets allocated to the Family Trust instead of one equal share as intended by the Trustors.**
- 8. Petitioner did not discover the discrepancy between the intended distribution and the actual distribution mistakenly set forth in the Third Amendment until after the death of Trustor Lily Y. Sakamoto.**
- 9. In order to reform the Third Amendment to properly reflect the intentions of the Trustors, Petitioner requests that the provisions of Article Twelve of the Third Amendment, as it applies to the Family Trust, be reformed and modified so that the duplicated paragraph giving Laura Tsutsui an additional share of the trust estate is removed.**
- 10. This modification will correct the drafting error made in the creation of the Third Amendment and ensure that distribution is consistent with the Trustors intentions as they believed the distribution was at the time of Lily Y. Sakamoto's death.**
- 11. Petitioner asks the Court to use its broad common law equitable powers under Probate Code § 15002 which allows the Court to correct drafting errors that change the intentions of the Trustors by modifying and reforming the Third Amendment, as it relates to the Family Trust.**
- 12. In the alternative, if the Court is unwilling to exercise its broad equitable common law powers under Probate Code § 15002, Petitioner asks that the Court modify the Third Amendment, as it relates to the Family Trust, as requested in this Petition pursuant to Probate Code § 15404(a) based upon the signed consents of Petitioner and all the current beneficiaries of the subtrust.**

**Wherefore, Petitioner prays for an Order:**

- 1. That the Court exercise its broad common law equitable powers under Probate Code § 15002 and issue an order reforming and modifying the distributive provisions of the Family Trust created under the Sakamoto Trust dated October 1, 1997 as requested in the Petition;**
- 2. In the alternative, for an Order, pursuant to Probate Code § 15404(a), modifying the distribution of the Family Trust as requested in the Petition; or**
- 3. For other further orders as the Court may deem proper.**

**Declaration of Norman S. Sakamoto filed 04/09/12** requests that the Court modify the Trust as requested in the Petition.

**Consent of Beneficiary to Modification and Reformation of Irrevocable Trust filed 04/09/12** by:

- 1. Charles Sakamoto**
- 2. Lolita Sakamoto**
- 3. George Sakamoto**
- 4. Betty Hatsuko Tamura; and**
- 5. Laura Tsutsui**



**Atty Murillo, Joel (for Erica Yanneth Cortes – Trustee / Respondent)**

**Petition for Orders: (1) Determining Validity of Purported Trust; (2) Imposing Constructive Trust; (3) Removing Trustee; (4) Appointing Temporary Trustee; (5) Determining Title to Property; (6) Compelling an Account; and (7) Elder Abuse (Prob. C. 17200, 17206, W&I C. 15600-15657.3)**

8

**Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD: 03/25/2012</b>		<b>DAVID BRANDL</b> , Son/named Executor without bond, is Petitioner.  Full IAEA- O.k.  Will dated: 11/08/2007  Residence: Fresno Publication: The Business Journal  <u><b>Estimated value of the Estate:</b></u> Personal property - \$200,000.00 Gross fair market value- \$200,000.00 <b>Total</b> - \$400,000.00	<b>NEEDS/PROBLEMS/COMMENTS:</b>   <b>Note: If the Petition is granted status hearings will be set as follows:</b>  • <b>Friday</b> , October 26, 2012 at 9:00a.m. in Dept. 303 for the filing of inventory and appraisal <u>and</u>  •Friday, July 26, 2013 at 9:00a.m. in Dept. 303 for the filing of the first account or final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			s/p
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/o
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Probate Referee: Steven Diebert	<b>Reviewed by:</b> KT/LV <b>Reviewed on:</b> 05/22/2012 <b>Updates:</b> <b>Recommendation:</b> Submitted <b>File 9 - Brandl</b>	

Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)

Age: 62 years DOB: 2/28/1950		<u>Temporary Expires 5/30/12</u>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Court Investigator Advised Rights on 5/3/12.</b>  1. Petition requests medical consent powers and dementia powers for the administration of dementia medications and secured placement. The Capacity Declaration <u>does not</u> support medical consent powers or the administration of dementia medications. The doctor states the proposed conservatee <u>does not</u> have dementia however, he does support secured placement.  2. Addresses of the persons entitled to notice are listed as "confidential." There does not appear to be any provision in the Probate Code that allows confidential addresses.
		<b>PUBLIC GUARDIAN</b> is petitioner and requests appointment as Conservator of the Person and Estate with medical consent and dementia powers for the administration of dementia medications and placement in a secured perimeter facility.		
		<b>Declaration of Alexander Sherriffs M.D. filed on 5/2/12.</b>		
Cont. from		<b>Estimated value of the Estate:</b> Personal property - \$157,000.00		
	Aff.Sub.Wit.		<b>Petitioner states</b> the conservatee is an attorney but is no longer eligible to practice. He has a history of injuries (including injuries to his head) as a result of auto and bicycle accidents. In addition, he has a history of alcohol abuse. As a result of the accidents, Mr. Lee has extensive memory loss. Mr. Lee inherited approximately \$200,000 from his mother's estate. In the past three months he has gone to the bank with "friends" and has withdrawn approximately \$43,000. There is no indication where this money is spent.  <b>Court Investigator Charlotte Bien's Report filed on 5/8/12.</b>	
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			
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✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
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✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
<b>Reviewed by: KT</b>				
<b>Reviewed on: 5/24/12</b>				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 10 - Lee</b>				

## Petition for Order Determining Trust's Title to Personal Property (Heggstad Petition)

DOD: 10/21/11		SHARON METZLER, Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states:	1. The Petition does not state the names and addresses of each person entitled to notice of the Petition as required pursuant to Probate Code § 17201.
Cont. from		1. On 03/14/08, Loramae Magee ("Settlor") created the Loramae Magee Living Trust (the "Trust").	
	Aff.Sub.Wit.	2. The principal place of administration of the Trust in Fresno County.	
✓	Verified	3. Settlor was the initial trustee of the Trust until her death on October 21, 2011.	
	Inventory	4. Petitioner is the acting successor trustee of the Trust.	
	PTC	5. The schedule of assets attached to the Trust as Exhibit "A" specifically lists all of Settlor's interest in America's Fund Account No. xxxxx264 (the "Account"). In addition, the Trust contains words of conveyance of Settlor's property to the trustee of the Trust. Specifically, the preamble of the Trust and the last sentence of Exhibit "A" evidences Settlor's intent to transfer the Account to the Trust. The preamble reads, "Loramae Magee [sic] declares that she, as Settlor, has transferred and delivered to herself as Trustee, in trust, the property described in Exhibit "A" attached to this instrument." The language in Exhibit "A" reads as follows: "Without limiting the generality of the foregoing, Settlor assigns Trustee the following Property...All of Settlor's interest in America's Fund Account No. xxxxx264."	
	Not.Cred.	6. Through inadvertence, title to the Account was not formally transferred to the Trust and, as a result, at the time of Settlor's death, title to the Account remained in the Settlor's name as an individual.	
✓	Notice of Hrg	7. Petitioner believes that because the Trust specifically lists the property as a Trust asset and contains words of conveyance to the trustee, it was Settlor's intent to transfer title to the property of the Trust. Settlor's failure to formally transfer title to the property to the Trust should not be taken to mean that the property was not intended to be a Trust asset.	
✓	Aff.Mail w/		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Continued on Page 2

8. In *Estate of Heggstad* (1993) 16 CA4th 943, the settlor of a revocable living trust failed to execute and record a deed to transfer title to real property to the settlor's trust. However, the Declaration of Trust had a schedule of assets attached with a declaration that settlor held the property as trustee of the trust. The Court held that the Declaration of Trust alone was sufficient to transfer title to the property to the trust.
9. In this case, the Settlor also has a "pour-over" Will which leaves all assets subject to probate to the trustee of the Trust. The probate of Settlor's Will would accomplish the same objective sought with this petition, to transfer title from Settlor's name as an individual to that of Trustee, as successor trustee of the Trust.
10. Without an order from the Court as requested in this Petition, a formal probate proceeding will be required to transfer title from the Settlor's name to the Settlor's estate and then to the Trust. The purpose of this Petition is to achieve the identical result, but without the expense and delay of a probate proceeding.

Petitioner prays for an Order:

1. Directing that the American Fund Account No. xxxxx264 is an asset of the Loramae Magee Living Trust dated March 14, 2008; and
2. For such other and further relief as the Court may deem proper.

**(1) Twelfth Account and Report of Successor Conservator and (2) Petition for Compensation to Conservator and His Attorney (probate Code Sections 2620, 2623, 2640, 2642)**

<b>Age: 61</b> <b>DOB: 09/21/50</b>	<b>PUBLIC GUARDIAN</b> , successor Conservator of the Person and Estate, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: <b>03/01/11 – 02/29/12</b>	
	Accounting - <b>\$794,998.38</b> Beginning POH - <b>\$763,088.23</b> Ending POH - <b>\$735,833.81</b> (\$12,052.94 is cash)	
<b>Cont. from</b>	Conservator - <b>\$1,745.20</b> (1 Deputy hour @ \$96/hr. and 21.70 Staff hours at \$76/hr.)	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Attorney - <b>\$1,000.00</b> (per Local Rule)	
<input checked="" type="checkbox"/> <b>Verified</b>	Bond Fee - <b>\$1,839.58</b> (ok)	
<input type="checkbox"/> <b>Inventory</b>	Petitioner states the Conservatee is able to complete an affidavit of voter registration in accordance with Elections Code §2150 and is entitled to vote.	
<input type="checkbox"/> <b>PTC</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/> <b>Not.Cred.</b>	<ol style="list-style-type: none"> <li><b>Approving, allowing and settling the 12<sup>th</sup> Account;</b></li> <li><b>Authorizing the conservator's and Attorney's fees and commissions;</b></li> <li><b>Payment of the bond fee; and</b></li> <li><b>That the Conservatee is able to complete an affidavit of voter registration in accordance with Elections Code §2150 and is entitled to vote.</b></li> </ol>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Court Investigator Jennifer Daniel's report filed 05/23/12</b> states that the conservatee is able to complete an affidavit of voter registration and that conservatorship appears to continue to be warranted and is in the best interest of the conservatee.	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/		<b>Reviewed by:</b> JF
<input type="checkbox"/> <b>Aff.Pub.</b>		<b>Reviewed on:</b> 05/24/12
<input type="checkbox"/> <b>Sp.Ntc.</b>		<b>Updates:</b>
<input type="checkbox"/> <b>Pers.Serv.</b>		<b>Recommendation:</b>
<input type="checkbox"/> <b>Conf. Screen</b>		<b>File 12 - Olguin</b>
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input checked="" type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>2620(c)</b> n/a		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

Pro Per Baker, Jeanine (Pro Per Petitioner, mother)  
 Pro Per Baker, Douglas (Pro Per Objector, Co-Guardian)  
 Pro Per Baker, Elida (Pro Per Objector, Co-Guardian)

## Petition for Termination of Guardianship

<b>Age: 7 years</b>		<b>JEANINE BAKER</b> , mother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>DOB: 10/23/2004</b>			
		<b>DOUGLAS BAKER and ELIDA BAKER</b> , maternal grandparents, were appointed Guardians on 7/14/2005.	<b>Continued from 1/31/2012.</b> Minute Order states the Court finds it is currently not in the best interest of the minor to terminate the guardianship. The Court needs a more detailed report from Pearl Heppner, LMFT. Visits are to occur each Sunday from 10 a.m. to 5 p.m. Jeanine Baker's husband, Shadden Crisp, can contact Mr. and/or Mrs. Baker no later than 5 p.m. on Saturdays with regards to travel arrangements on Sundays. The Court orders for counseling to continue (whether as a family of three—Jeanine Douglas and Elida—AND/OR Jeanine and Trenton) as recommended by Ms. Heppner. No party is to speak ill or critically of any other party.
<b>Cont. from 102511, 121311</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Co-Guardians consent to termination and waive notice.	
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>	Father: <b>STEWART MICHAEL HAMBY</b> ; Declaration of Due Diligence filed 10/20/2011; incarcerated per Minute Order dated 10/25/2011; personally served 11/22/2011;	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Paternal grandfather: Stewart Hamby, Sr.; sent notice by mail on 10/11/2011; Paternal grandmother: Cindy Bruer; sent notice by mail on 10/11/2011;	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	W/	
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>	<b>Petitioner states</b> she would like her son back so he can attend school with his brother and sister.	
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>	<b>Court Investigator Charlotte Bien's Report</b> was filed 10/4/2011.	
<input checked="" type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>Clearances</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>	<b>~Please see additional page~</b>	
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG	
		<b>Reviewed on:</b> 5/25/12	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 13 - Hamby</b>	

**Court Investigator Charlotte Bien's Supplemental Report was filed 12/5/2011.**

**Objection to Termination of Guardianship filed on 10/26/2011 by Douglas Baker and Elida Baker, Co-Guardians and maternal grandparents, states:**

- At the Court hearing on 10/25/2011 it was revealed that their daughter (child's mother), Jeanine Baker, has a medical marijuana card;
- If they had known about the marijuana card, they would not have placed Trenton in her care;
- Both the mother and her husband, Shadden Crisp, have medical marijuana cards;
- With Jeanine being a former meth addict and now in possession of a medical marijuana card, it is only a matter of time before she starts using illegal drugs;
- They object in the strongest possible manner to the termination of their guardianship of Trenton;
- Recent events have shown that the mother is not ready to care for Trenton.

**Declaration filed on 10/28/2011 by Douglas Baker and Elida Baker** contains an attached handwritten document entitled "Agreement for Visitation – Trenton Hamby" signed on 10/10/2009 by Elida Baker and Jeanine Baker, stating in sum that it is an agreement for overnight visitation for Trenton to spend the night with his parents at Doug and Elida's discretion, starting with one night a month on a trial basis for 3 to 4 months, and if Doug and Elida notice anything out of the ordinary they may rescind the agreement; if everything goes well in 4 months (February 2010), they will extend the visitation to a full weekend a month, working up to more frequent visitation.

**Ex Parte Petition for Visitation was filed on 11/8/2022 by Jeanine Baker, mother. (Order on Ex Parte Petition signed 11/10/2011 set the hearing for 12/13/2011.) Petitioner states:**

- Doug and Elida Baker took Trenton from her care on 10/27/2011 without communicating with her at all; then on 10/31/2011, they dropped him from Fresno Unified and enrolled him into Sierra Unified;
- Doug and Elida have cut off all contact since the morning of 10/27/2011;
- She is very concerned with Trenton's emotional state at this time because of the erratic behavior involving Doug and Elida;
- She asks if the Court could grant visitation [between the present and the Court date of 12/13/2011] because she does not feel that her parents are acting in the best interest of her son any longer.

**Declaration filed on 10/28/2011 by Douglas Baker and Elida Baker describes reasons to keep Trenton in their care:**

1. On 10/21/2011, they were asked to pick up all three kids [Trenton and the mother's two twin girls] for the weekend and return them on Sunday, 10/23/2011, at noon for Trenton's birthday party;
  - They arrived at 6:00 p.m. [to pick up the kids] and Mackenzie [one of the twins] was throwing up and complaining of a headache;
  - They told Jeanine to take her to Valley Children's Hospital as this was a sign of her stunt not working properly (she knows the medical symptoms); Mackenzie refused to come with us as she just wanted to lie down;
  - They asked Jeanine several times to take Mackenzie to the emergency room; she blew up and said: "I have to work tomorrow and Sunday is Trenton's birthday party. She will have to wait until Monday."
  - The next day, Saturday 10/22/2011, while Jeanine was at work, Mackenzie's step-father and his mother took Mackenzie to Valley Children's where she was admitted and placed on morphine; on Monday 10/24/2011, she was operated on to replace her clogged shunt.
2. Jeanine's statement in Court on 10/25/2011 that she had a marijuana card.

**~Please see additional page~**



**Declaration filed on 12/5/2011 by Douglas Baker and Elida Baker contains a letter from Trenton's teacher at Foothill Elementary School, Candice Corn, stating:**

- She is Trenton's First Grade teacher and when Trenton arrived in their class, his peers were happy and excited to see his return;
- Trenton has a happy demeanor; he seems to like school; throughout the day he laughs a lot and is always involved with class discussions;
- At the end of the school day when he is picked up, he always seems thrilled to see his grandmother and grandfather, who she has learned Trenton calls "mom" and "dad" because he has lived with them from a very early age;
- Trenton's grandparents have been concerned about his happiness and well-being; they often check on his progress and behavior in class; he is a very bright boy but has difficulty keeping focused and completing work;
- Trenton has had excellent attendance, is never tardy, and comes to class nicely groomed with homework complete; they are making his education a priority and helping him become a responsible student; she is very glad that his grandparents are also following through with attention issues that his mother had noticed;
- She would like the Court to know that she has witnessed a very happy boy at school; he is doing well academically because of the support he is getting at home; he is a confident student and is making progress in all areas; this shows that he must be in an emotionally stable environment.

**Declaration filed on 12/8/2011 by Petitioner Jeanine Baker, mother, contains the following attached documents:**

- Signed letter from the Fresno County Probation Department dated 12/5/2011 stating that on 1/3/2008, Jeanine Baker was granted a 2-year misdemeanor probationary term [under case number for cited violation, which is not identified by type of violation]; Jeanine Baker's probation was terminated and case dismissed on 7/27/2010; per Probation records, she substantially complied with the terms and conditions of her probation.
- Signed letter from WestCare indicating that Jeanine Baker successfully completed an outpatient program at WestCare from 12/4/2008 – 3/5/2009.

**Declaration filed on 12/8/2011 by Petitioner Jeanine Baker, mother, contains the following attached documents:**

- Green Doctor Evaluations Physician Statement signed by Anisha Patel, D.O., indicating the Physician Statement and Recommendation issued from 4/7/2011 and valid through 4/6/2012 affirms that Jeanine Baker has been examined and evaluated by the physician and that it is their assessment that the patient qualifies under CA Health & Safety Code § 11362.5 for the use of cannabis for medical purposes.
- Green Doctor Evaluations Physician Statement signed by Anisha Patel, D.O., indicating the Physician Statement and Recommendation issued from 1/26/2011 and valid through 1/25/2012 affirms that Shadden Crisp has been examined and evaluated by the physician and that it is their assessment that the patient qualifies under CA Health & Safety Code § 11362.5 for the use of cannabis for medical purposes.
- Copies of Green Doctor Evaluations medical marijuana cards and CA Driver Licenses of Jeanine Baker and Shadden Crisp, step-father.

***~Please see additional page~***

**Declaration filed on 12/12/2011 by Co-Petitioners Douglas Baker and Elida Baker contains an attached letter written by Pearl Heppner, LMFT, from Link Care Center dated 12/12/2011 stating:**

- She writes this letter regarding Trenton Hamby, and she is a licensed Marriage and Family therapist who has provided five psychotherapy sessions for Trenton since 11/14/2011;
- In her work with Trenton it is apparent that he is thriving while in the care of his maternal grandparents, Mr. and Mrs. Baker;
- He is a very happy, energetic boy who has been very open regarding his feelings about his wellbeing and where he feels safe and would choose to live;
- As Trenton's therapist, it is her clinical recommendation that Trenton remain in the sole custody of his grandparents, Elida and Doug Baker;
- It is also her clinical recommendation that Trenton have visitation with his siblings at his grandparents' home as well as supervised visits with his biological mother and stepfather at Mr. and Mrs. Baker's home;
- Mr. and Mrs. Baker appear to be equipped to supervise these visits between Trenton and his biological mother and stepfather;
- As per Court request, I am in the process of completing an assessment for ADHD for Trenton; I have received all pertinent information for assessment and will be completing this assessment along with my written report this week.

**Declaration filed 1/25/2012 by Co-Petitioners Douglas Baker and Elida Baker contains a typewritten note describing:** the mother's history of alcoholism beginning at age 12, with attached literature regarding the increased negative effects of alcohol on teen brains; the mother's current financial circumstances consisting of being supported by her daughter's Social Security; and the mother's neglecting to seek necessary surgery for one of her children.

**Declaration filed 1/30/2012 by Co-Petitioners Douglas Baker and Elida Baker contains:**

1. Letter dated 1/27/2012 from Pearl Heppner, Licensed Marriage and Family Therapist at Link Care Center, stating that due to Christmas vacation and her own medical issue, she was unable to see Trenton as often as she would have needed in order to provide a more thorough report to the Court, and she asks for an extension in this case in order to provide a few more therapy sessions in order to provide a more comprehensive report and recommendation to the Court; if an extension is not possible before making a ruling in this case, she recommends family therapy sessions for Jeanine Hamby, mother, to include the maternal grandfather at some point, to provide a venue for healing in the mothers and grandparents' relationship; she also recommends ongoing therapy for Trenton to feel safe and secure and help him process his feelings, and to address behavioral issues present at this time; it is her opinion that Trenton has signs and symptoms of Attention Deficit/Hyperactivity Disorder (ADHD), though it is uncertain if the signs and symptoms are due to ADHA or to depression and anxiety.
2. Copy of Narrative Report dated 11/28/2011 from Trenton's classroom teacher, Candice Corn, indicating his Attention Deficit/Hyperactivity assessment scores.

**Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

<b>Age: 1</b> <b>DOB: 02/25/11</b>		<u><b>NO TEMPORARY REQUESTED</b></u>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>YOLANDA VALDEZ</b> , maternal grandmother, is Petitioner.		1. Declaration of Due Diligence filed 03/28/12 states that the father is unknown. If diligence is not found, need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent and Waiver of Notice for: - Father (unknown)	
<b>Cont. from</b>		Father: <b>UNKNOWN</b> – Declaration of Due Diligence filed 03/28/12		2. Declarations of Due Diligence filed 03/28/12 states that the paternal grandparents are unknown and that the maternal grandfather has not been seen for 22 years and his current whereabouts are unknown. If diligence is not found, need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent and Waiver of Notice for: - Paternal grandfather (unknown) - Paternal grandmother (unknown) - Ramiro Navarro Torres (maternal grandfather)	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>				
<input checked="" type="checkbox"/>	<b>Verified</b>	Mother: <b>YURITZI VALDEZ</b> – personally served on 04/02/12			
<input type="checkbox"/>	<b>Inventory</b>				
<input type="checkbox"/>	<b>PTC</b>				
<input type="checkbox"/>	<b>Not.Cred.</b>	Paternal grandparents: UNKNOWN – Declaration of Due Diligence filed 03/28/12			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>				
<input type="checkbox"/>	<b>Aff.Mail</b>	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	<b>Aff.Pub.</b>	Maternal grandfather: RAMIRO NAVARRO TORRES – Declaration of Due Diligence filed 03/28/12			
<input type="checkbox"/>	<b>Sp.Ntc.</b>				
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>	Petitioner states that Alexxia's father is unknown and her mother is on drugs and is currently on the run from police for stealing Petitioner's car. Mother is unable to care for Alexxia and does not have a stable home. Petitioner states that Alexxia has lived with her since birth and she wants her to continue to live with her as she can provide a loving and stable environment.			
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>				
<input checked="" type="checkbox"/>	<b>Letters</b>				
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>				
<input type="checkbox"/>	<b>Objections</b>				
<input type="checkbox"/>	<b>Video Receipt</b>				
<input checked="" type="checkbox"/>	<b>CI Report</b>				
<input type="checkbox"/>	<b>9202</b>				
<input checked="" type="checkbox"/>	<b>Order</b>				
<input type="checkbox"/>	<b>Aff. Posting</b>				
<input type="checkbox"/>	<b>Status Rpt</b>				
<input checked="" type="checkbox"/>	<b>UCCJEA</b>	<b>Court Investigator Samantha Henson filed a report on 05/24/12.</b>		<b>Reviewed by:</b> JF	
<input type="checkbox"/>	<b>Citation</b>			<b>Reviewed on:</b> 05/24/12	
<input type="checkbox"/>	<b>FTB Notice</b>			<b>Updates:</b>	
				<b>Recommendation:</b>	
				<b>File 14 - Valdez</b>	

Atty Chavez, Veronica de la Hoya (Pro Per – Mother – Petitioner)

Atty Chavez, Leticia (Pro Per – Maternal Aunt – Petitioner)

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 182 2680-2682)

Age: 19		<b>VERONICA DE LA HOYA CHAVEZ</b> , Mother, and <b>LETICIA CHAVEZ</b> , Maternal Aunt, are Petitioners and request appointment as Co-Conservators of the Person with medical consent powers.  <b>Voting rights affected</b>  <b>Capacity Declaration was filed 3-29-12.</b>  <b>Petitioners state</b> the proposed Conservatee is diagnosed with moderate to severe mental retardation since birth and cerebral palsy and has various physical limitations. She has a speech delay, is a quadriplegic and wheelchair-bound, and is not able to verbalize her desires. She has the verbal skills of an infant. She is unable to dress or bathe herself and is not able to prepare her own meals. She is never left unsupervised and requires assistance with all daily tasks. She has attended adult special education courses since 2006.  <b>Court Investigator Jennifer Young filed a report on 5-3-12.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Court Investigator advised rights on 5-1-12</b>  <b>Voting rights affected – need minute order</b>  1. <b>Need video receipt per Local Rule 7.15.8.A.</b>	
DOB: 5-5-93				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			w
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			x
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 5-3-12
<b>Updates:</b>
<b>Recommendation:</b>
File 15 - Morales